PATENT

Docket No. WP 21690 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: LIST, Hans et al.

Application No.:

10/539,425

Art Unit: 1797

Filed:

June 20, 2005

Examiner: WHITE, Dennis Michael

Title: TRANSPORT DEVICE FOR TRANSPORTING TEST ELEMENTS IN AN ANALYTICAL SYSTEM

Confirmation No. 8024

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

Responsive to the Office Action mailed September 23, 2008, in which restriction was required between Group I drawn to claims 1-17 and Group II drawn to claims 18-33, Applicants hereby elect the invention of Group I (claims 1-17).

Applicants have filed a complete response to the outstanding Office Action and respectfully submit that, in view of the above election and remarks, the application is in condition for allowance. The Examiner is encouraged to contact the undersigned to resolve efficiently any formal matters or to discuss any aspects of the application or of this response. Otherwise, early notification of allowable subject matter is respectfully solicited.

Respectfully submitted,

Date: October 22,2008

Richard T. Knauer, Reg. No. 35,575 Roche Diagnostics Operations, Inc. 9115 Hague Road, Bldg. D

Indianapolis, IN 46250-0457 Telephone No.: (317) 521-7464 Facsimile No.: (317) 521-2883